

Resolution No._____, Series 2010

A RESOLUTION ENCOURAGING THE KENTUCKY GENERAL ASSEMBLY TO REQUIRE THAT ANY COMPOUND, MIXTURE OR PREPARATION CONTAINING ANY EPHEDRINE, PSEUDOEPHEDRINE, OR PHENYLPROPANOLAMINE, THEIR SALTS OR OPTICAL ISOMERS, ONLY BE DISTRIBUTED TO THE GENERAL PUBLIC THROUGH A PRESCRIPTION AUTHORIZED BY A MEDICALLY LICENSED PHYSICIAN.

Sponsored By: Councilwoman Vicki Aubrey Welch, District 13

WHEREAS, the production and use of methamphetamines continues to be a growing concern and problem not only in Louisville Metro, but throughout the Commonwealth of Kentucky; and

WHEREAS, KRS 218A.1446(1) provides that compounds, mixtures, or preparations containing any detectable quantity of ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, can currently only be dispensed, sold, or distributed by a registered pharmacist, a pharmacy intern, or a pharmacy technician; and

WHEREAS, despite this effort to limit the access to ephedrine, pseudoephedrine, and/or phenylpropanolamine, in Louisville Metro alone there was a 63% increase in the production of methamphetamines from 2008-2009, and thus, an exacerbation of the problems associated therewith; and

WHEREAS, due to the toll and severity that methamphetamine usage and production has not only on the users, but on the community as a whole, the Commonwealth of Kentucky needs to go a step further in its efforts to redress the problems associated with the production of methamphetamine by further limiting access to the main ingredient of methamphetamine by requiring a prescription

from a medically licensed physician prior to the dispersion of compounds or mixtures containing ephedrine, pseudoephedrine, and/or phenylpropanolamine.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“COUNCIL”) AS FOLLOWS:

Section 1. The Council does hereby urgently request the 2010 Kentucky General Assembly to require that compounds, mixtures, or preparations containing any detectable quantity of ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, be only dispensed through a prescription as authorized by a medically licensed physician.

Section 2. The Council further hereby requests that KRS Section 218A.1446(9) be amended to allow local governments the opportunity to regulate the distribution of ephedrine, pseudoephedrine, and phenylpropanolamine within its jurisdiction as follows: “The provisions of this section shall ~~supersede and preempt~~ permit all local laws, ordinances, and regulations pertaining to the sale of any compounds, mixtures, or preparation containing ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, provided that such laws, ordinances, and regulations are not less restrictive than the standards as set forth in KRS Chapter 218A.”

Section 3. This resolution shall take effect upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

Thomas L. Owen
President of the Council

Jerry E. Abramson
Mayor

Approved: _____
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY _____

Draft 1 1/6/10 5:22 p.m. (Introduced)